

CITY COUNCIL REPORT



Meeting Date: *October 24, 2023*
General Plan Element: *Land Use*
General Plan Goal: *Support a diversity of businesses.*

ACTION

Liquor License Request for 62-LL-2023 Grounds on 2nd (256599). To consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an Owner Transfer for a Series 7 (Beer and Wine Bar) State liquor license for an existing location and new owner.

OWNER

Grounds on 2nd LLC

APPLICANT CONTACT

JEFFREY CRAIG MILLER

LOCATION

3703 N 69th St. Unit 1 (101)

REQUEST

The applicant is seeking a favorable recommendation on a Series 7 (Beer and Wine Bar) liquor license for an existing location with new owner. This has been a licensed location most recently operating with liquor since 2020 as a beer and wine bar.

This liquor license allows a beer and wine bar retailer to sell and serve beer and wine, primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises.

The applicant has indicated that this establishment will serve liquor between the hours of 7 AM and 8 PM Monday through Thursday, 7 AM and 10 PM Friday and Saturday, and 7 AM and 5 PM on Sunday; however, due to state liquor license processing requirements, they are not required to notify the city or the state if they change their hours of operation.

IMPACT ANALYSIS

Reliability and Location

A.R.S. Section 4.-203.A and R19-1-702 Granting a License for a New Owner for a Certain Location.

The capability, qualifications, and reliability of the applicant have been shown.

Restaurant

A.R.S. Section 4-205.02 and R19-1-206 Criteria for Restaurant Operations.

This owner intends to operate this location as a retail wine store/bar. This establishment is 1,485 sq. ft. in size, **plus** an existing 276 sq. ft. patio. The bar service area is 23 sq. ft. or 1.5% of gross floor area, and the kitchen area is 228 sq. ft. or 15% of the gross floor area. The operational characteristics and floor plan qualify as a retail wine store/bar.

Outdoor Patio

The existing patio, on the north side of the building is 276 sq. ft. and does not encroach into the adjacent pedestrian walkway. The site plan shows an additional patio; however, the applicant is working with the state liquor department to have it removed from the application. Outdoor patios with liquor service must get approval through the city, and the additional patio does not have a liquor barrier nor prior approval.

Zoning

This site is zoned D/DMU-2 DO (Downtown Multiple Use, Downtown Overlay). The Downtown district allows retail sales as a permitted use. The applicant has been notified of the city's expectation that the business will operate as a retail wine store/bar.

Public Safety

Police Department: No Opposition

Major life safety issues: None noted

Public Notice and Proximity

A.R.S. Section 4-201.B. Petitions from Persons in Close Proximity.

The applicant has maintained the required posting notice for the State mandated 20-day period. No petitions or protests were received during the 20 (twenty) day posting period.

COUNCIL OPTIONS & STAFF RECOMMENDATION

Council Options

The City Council has the option of recommending approval, disapproval or no recommendation to the Arizona Department of Liquor Licenses and Control.

Staff Recommendation

Staff advises that the license request meets the criteria imposed for determining the capability, qualifications, and reliability of the applicant.

Next Steps

The City Council's recommendation will be forwarded to the Department of Liquor Licenses and Control for their consideration. If the application is approved by the Department of Liquor Licenses and Control, the applicant should receive their license from the State within 105 days of original application.

RESPONSIBLE DEPARTMENT(S)

Karissa Rodorigo, Planning Specialist, krodorigo@scottsdaleaz.gov
Planning and Development Services

Thomas Myers, Lieutenant, tmyers@scottsdaleaz.gov
Police Special Investigations

APPROVED BY



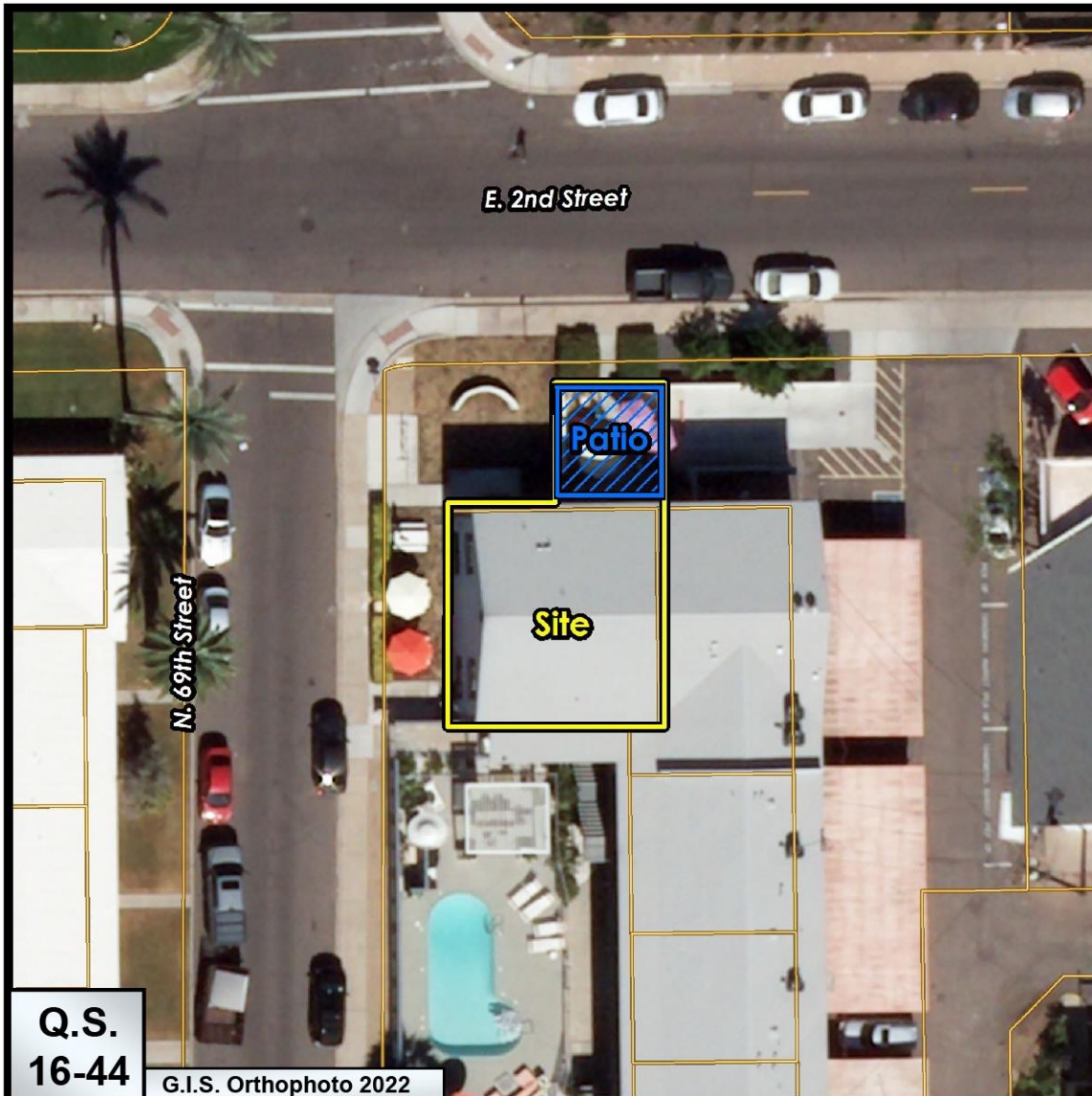
Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

10/10/2023

Date

ATTACHMENTS

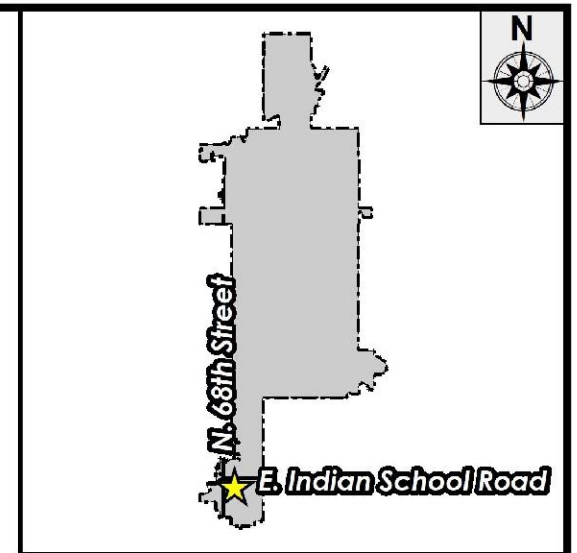
1. Map
2. City of Scottsdale Applicant Questionnaire
3. State Application (Front Page)
4. Floor Plan



Q.S.
16-44

G.I.S. Orthophoto 2022

62-LL-2023

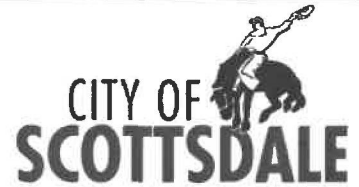


Grounds on 2nd (256599)

Liquor License Questionnaire

(Existing Location)

Restaurants & Bars (Series 11, 12, 6, 3, 7, 13)



Please complete all questions and return within 3 business days.

Name of Business: Grounds on 2nd

Business Address: 3703 N 69th St #1 Scottsdale AZ 85251

Total Gross Square Footage of Establishment (Minus the Patio): 1485

Is this business under construction or being remodeled? ☐ Yes ☒ No

Does this business have an existing patio? ☒ Yes ☐ No Dimensions of patio 506 ft

Does this business have a proposed patio? ☐ Yes ☒ No Dimensions of patio _____

Was liquor sold at this location prior to this application? ☒ Yes ☐ No

If **yes**, what type of license? Series 7

Is this business currently open? ☒ Yes ☐ No

If **yes**, is this business operating with an Interim license? ☒ Yes ☐ No

If **no**, what is the proposed opening date? _____

For Restaurants, Bars and Restaurants/Bars:

Will the bar service area be less than 15% of the gross floor area? ☒ Yes ☐ No*

Gross square footage of bar service area: 23

(includes the floor area under indoor and outdoor bars and the floor area behind the bars used for storage, prep and serving of food or drinks. NOT kitchen/backroom storage)

Will the kitchen be less than 15% of the gross floor area? ☒ Yes* ☐ No

Gross square footage of kitchen: 228

Will the full kitchen close before 9:00 p.m.? ☒ Yes* ☐ No

Will less than 40% of gross revenues be derived from the sale of prepared food? ☒ Yes* ☐ No

During what hours will the establishment offer liquor sales? mon-thur 7am-8pm fri-sat 7am-10pm sun 7am-5pm

For admittance:

Will age verification be required/requested at any time during business operations? ☐ Yes* ☒ No

For admittance:

Is a cover charge required at any time during business operations? ☐ Yes* ☒ No

*May require a Conditional Use Permit

Please check **one** of the following that best describes the primary business operation:

☒ packaged retail ☐ restaurant ☐ bar ☐ personal service ☐ education service

☐ manufacturing ☐ hotel / tourist accommodation ☐ residential facility ☐ sports / theater

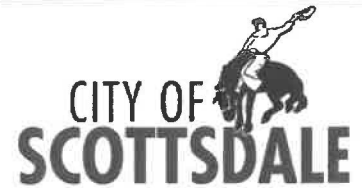
Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ www.ScottsdaleAZ.gov

Liquor License Questionnaire

(Existing Location)

Restaurants & Bars (Series 11, 12, 6, 3, 7, 13)



Please complete all questions and return within 3 business days.

Will this business feature any of the following:

Patron Dancing?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	Karaoke?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No
Live Bands?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	DJ?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No
Amplified music?	<input checked="" type="checkbox"/> Yes*	<input type="checkbox"/> No	Games?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No
Adult Entertainment?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	Four or more pool tables?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No
After hours?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No			

***May require a Conditional Use Permit**

Applicant Narrative:

ARS 4-201-G: Except for a person to person transfer of a transferable license for use at the same location and as otherwise provided in section 4-203, subsection A, in all proceedings before the governing body of a city or town, the board of supervisors of a county or the board, the applicant bears the burden of showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license.

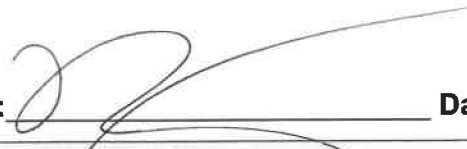
1. I have the capability, qualifications and reliability to hold a liquor license because:

Own a wine bar in South Scottsdale, have worked in the liquor industry for over 16 years.

2. Please describe your business:

An urban market selling to go foods and package food, similar to a bodga/deli.

The City's forwarding of a recommendation to the AZ Department of Liquor Licenses and Control does not waive and is not a substitute for the Licensee's obligation to comply with all state, local and federal laws, policies and regulations applicable to the license. The Recommendation is not a permit or regulatory approval to hold any events or construct or demolish any improvements. Zoning processes, building permit processes, and similar regulatory requirements may apply to Licensee's contemplated Improvements and are completely separate from the Recommendation. Licensee shall be responsible to, separate and apart from this Recommendation, directly obtain all necessary permits and approvals from any and all governmental or other entities including the City's having standing or jurisdiction over the subject areas. For more information regarding zoning processes, building permit processes, and similar regulatory requirements and approvals please call 480-312-2611.

Print Name: Rhonda Rodriguez Signature:  Date: 9/20/23

Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ www.ScottsdaleAZ.gov

ATTACHMENT 3

State of Arizona Department of Liquor Licenses and Control

Created 09/01/2023 @ 02:44:16 PM

Local Governing Body Report

LICENSE

Number:	07070806	Type:	007 BEER AND WINE BAR
Name:	GROUNDS ON 2ND		
State:	Pending		
Issue Date:		Expiration Date:	02/29/2024
Original Issue Date:	10/24/1986		
Location:	3703 N 69TH STREET #1 SCOTTSDALE, AZ 85251 USA		
Mailing Address:	PO BOX 2502 CHANDLER, AZ 85244 USA		
Phone:	(480)730-2675		
Alt. Phone:			
Email:	LIQUORLICENSE@AZLIC.COM		

Currently, this license has pending applications.

AGENT

Name:	JEFFREY CRAIG MILLER
Gender:	Male
Correspondence Address:	PO BOX 2502 CHANDLER, AZ 85244 USA
Phone:	(480)730-2675
Alt. Phone:	
Email:	LIQUORLICENSE@AZLIC.COM

OWNER

Name:	GROUNDS ON 2ND LLC		
Contact Name:	JEFFREY CRAIG MILLER		
Type:	LIMITED LIABILITY COMPANY		
AZ CC File Number:	23564971	State of Incorporation:	AZ
Incorporation Date:	08/05/2023		
Correspondence Address:	PO BOX 2502 CHANDLER, AZ 85244 USA		
Phone:	(480)730-2675		
Alt. Phone:			
Email:	LIQUORLICENSE@AZLIC.COM		

199-594

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1485

